

525 Rec'd PCT/PTO 27 NOV 2000

FORM PTO-1390  
(REV. 10-2000)DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTORNEY DOCKET NUMBER  
MC010PI**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**09/701205**

INTERNATIONAL APPLICATION NO.

PCT/US99/11743

INTERNATIONAL FILING DATE

05/27/1999

PRIORITY DATE CLAIMED

05/27/1998

TITLE OF INVENTION

APOPTOSIS MODULATORS THAT INTERACT WITH THE HUNTINGTON'S DISEASE GENE

APPLICANT(S) FOR DO/EO/US

Michael Kalchman, Michael R. Hayden, Abigail Hackam, Vikramjit Chopra, Paul Goldberg, Donald W. Nicholson, John P. Vaillancourt, Dita M. Rasper

**Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:**

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made and the US was elected by the expiration of the 19th month from the earliest claimed priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)].
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

**Items 11 to 16 below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

**EXPRESS MAIL CERTIFICATE**  
 DATE OF DEPOSIT November 27, 2000  
 EXPRESS MAIL NO. EE18060704US  
 I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
 BEING DEPOSITED WITH THE UNITED STATES POSTAL  
 SERVICE AS EXPRESS MAIL "POST OFFICE TO  
 ADDRESSEE" BEFORE 5 P.M. ON THE ABOVE DATE IN  
 AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER  
 FOR PATENTS, WASHINGTON, D.C. 20231  
 MAILED BY S. D. Chowdhury  
 DATE 11-27-00

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17. ☒ The following fees are submitted:

BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]:

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee [37 CFR 1.445(a)(2)] paid to USPTO  
and International Search Report not prepared by the EPO or JPO..... \$1,000.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO..... \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but international search fee [37 CFR 1.445(a)(2)] paid to USPTO..... \$710.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$690.00

International preliminary examination fee paid to USPTO (37 CFR  
1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$100.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date [37 CFR 1.492(e)].

\$0.00

Claims	Number Filed	Number Extra	Rate		
Total Claims	15 - 20 =	0	X \$18.00	\$0.00	
Independent Claims	7 - 3 =	4	X \$80.00	\$320.00	
Multiple dependent claim(s) (if applicable)		0	+ \$270.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$420.00	

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated  
above are reduced by 1/2.

SUBTOTAL =

\$420.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20  
☐ 30 months from the earliest claimed priority date [37 CFR 1.492(f)].

+

\$0.00

TOTAL NATIONAL FEE =

\$420.00

Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. +

TOTAL FEES ENCLOSED =

\$420.00

Amount to be  
refunded  
charged

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 13-2755 in the amount of \$420.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to the Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive  
[37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

MERCK & CO., INC.  
Patent Department, RY60-30  
P.O. Box 2000  
126 East Lincoln Avenue  
Rahway, New Jersey 07065-0970

DATE: November 27, 2000

PHONE #: (732) 594-6734

*Joseph A. Coppola*  
SIGNATURE

Joseph A. Coppola  
NAME

38,413

REGISTRATION NUMBER